

REMARKS/ARGUMENTS

Claims 1-4, 11, 12, 15, 16 and 25 have been rejected under 35 USC 102(b) as being anticipated by Giannuzzi. Claims 9 and 10 have been rejected under 35 USC 103(a) as being unpatentable over Giannuzzi in view of Osterland. Claims 19-22 have been rejected under 35 USC 103(a) as being unpatentable over Giannuzzi. Claims 24 and 26 have been rejected under 35 USC 103(a) as being unpatentable over Giannuzzi in view of Asami. Reconsideration and withdrawal of these rejections are respectfully requested in light of the following remarks.

It is noted with appreciation that claim 23 and 27-33 have been allowed. Moreover, claim 6-8, 13, 14, 17 and 18 have been objected to as being dependent upon a rejected base claim, but have been indicated as being allowable if suitably rewritten in independent form.

In the Amendment filed November 3, 2003, Applicant argued that

"The present invention resolves the problems caused by the vibration by having the head 11 of the male part resiliently deform the cap of the female part, when the male part is pushed inside the female part, by resiliently depressing the outer branch of the cap, as can be seen in figures 3, 7 and 13.

This resilient deformation, or depression, of the cap is possible due to the fact that the head 11 is in direct contact with the cap. In contrast, Figure 6 of Giannuzzi shows that the head 24 of the male part does not bear on the cap 10 of the male part but, rather, on the outer face of the base of the hook like fixture 22 which is interposed between the head 24 and the cap. Since this base extends beyond the cap 10, it is impossible for the cap to be resiliently deformed by the head 24 of the male part in the same manner as the present invention, with the head 11 resiliently depressing the medium portion of the outer branch of the cap."

In response, the Examiner contends that this feature, as argued by Applicant, is not recited in the rejected claims which, therefore, still read on Giannuzzi. Applicant

respectfully and emphatically disagrees with this conclusion. Nevertheless, in order to advance the prosecution of this application, claim 1 has been revised herein to add the recitation that "said head of the male part directly contacts said medium portion of said cap when the foot moves to its locked configuration".

Thus, some of the key distinguishing features of the present claimed invention can be summarized as follows:

1. Head of the male part is in direct contact with the cap of the female part.
2. Direct contact between the head and the cap is at the medium portion of the cap.
3. The head elastically depresses the medium portion of the cap.

Giannuzzi discloses a dagger-like anchor with a head 10 having a center hole 11 to receive screw 23. As shown in Fig. 6, a fixture 22 is screwed to wall 21 by screw 23 inserted into the anchor.

Regarding point no. 1 above, Giannuzzi does not disclose a direct contact between head 24 of screw 23 and head 10 of the anchor. Fixture 22 intervenes.

Regarding point no. 2, Giannuzzi certainly fails to show contact between head 24 and the medium portion of head 10.

Regarding point no. 3, head 24 of screw 3 does not elastically depress the medium portion of head 10 because fixture 22 spreads the pressure exerted thereon by head 24 to the entire surface of head 10.

The Examiner contends that "the head of the anchor 10 must be resiliently deformable since it is constructed of a spring that is bent back on itself, which inherently has deformable properties." The anchor is described in col. 4, lines 4-12 of Giannuzzi as being "fabricated from a blank of thin sheet metal... having... spring metal

characteristics". However, as part of the fabrication process, the "blank is cut, shaped, folded and hardened by heat treatment..." (col. 4 lines 13-14, emphasis added). This, coupled with the fact that nothing whatsoever is stated in Giannuzzi about reliance on spring characteristics, tends to teach away from reliance on the supposed inherency of deformable properties. Moreover, the interposition of fixture 22 in such a way that it bears against all the surface of head 10, including its periphery, further teaches away from elastic deformation of the medium portion because the greatest resistance to deformation is at the periphery of head 10. Since fixture 22 contacts that periphery, and also because head 10 has been hardened, it is not seen how anyone with ordinary skill in the art would expect elastic deformation to occur in head 10.

In view of the above, it is respectfully submitted that claim 1 clearly and patentably distinguishes the present invention over Giannuzzi.

Claims 2-4, 6-22, 25 and 26 depend from claim 1 and, thus, each is allowable therewith.

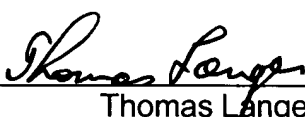
Regarding claim 24, it has been revised to explicitly recite that the barrel of the male part has a "non-circular cross section", as shown in Fig. 12, for example. Neither Giannuzzi nor Asami show this feature. This feature was argued by the applicant in the previously-filed Amendment as being a patentably distinguishing feature. However, the Examiner contends that it is not recited in claim 24. Indisputably, it is now clearly and explicitly recited in claim 24. For this, among other reasons, claim 24 is patentable over the applied references.

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

Should the Examiner have any comments, questions, suggestions, or objections he is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no additional fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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